

IN THE CIRCUIT COURT FOR FREDERICK COUNTY, MARYLAND

STATE OF MARYLAND :

v. : **Crim. No. C-10-CR-23-000543**

Ruben Hernandez Lainez :

Defendant :

DEMAND FOR PARTICULARS

The Defendant, Mr. Ruben Hernandez Lainez through his attorney, pursuant to Maryland Rule 4-241 respectfully requests that the State provide a bill of particulars. In support thereof the Defendant states:

1. The Defendant requests that the State disclose the following as to Count

One—Rape-Second Degree:

a.) State all facts that tend to prove that the Defendant engaged in vaginal intercourse with another by force, threat of force, without the consent of the other, and;

b.) State all facts that tend to prove that the Defendant engaged in vaginal intercourse where the alleged victim is:

- i. a mentally defective individual;
- ii. a mentally incapacitated individual;
- iii. a physically helpless individual

c.) State all facts that tend to prove that the Defendant knows or should reasonably know that the alleged victim is:

- i. a mentally defective individual;
- ii. a mentally incapacitated individual;

iii. a physically helpless individual.

d.) State all facts that tend to prove that the alleged victim is under the age of 14 years and that the Defendant is at least 4 years older.

2. The Defendant requests that the State provide the following as to Count

Two—Second Degree Assault

a.) State whether Count two is a separate crime or a lesser included offense of any other crimes charged;

b.) State whether the Defendant:

i. Intentionally frightened the alleged victim;

ii. Attempted to commit battery against the alleged victim;

iii. Committed battery against the alleged victim

c.) Provide a particularized factual basis for which the allegation is based.

Respectfully Submitted,

/s/Rachel Reyes

/s/ Rachel Reyes

Rachel Reyes, Esq.

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CERTIFICATE OF SERVICE

I hereby certify on June 28, 2023, a copy of the foregoing demand for bill of particulars was electronically served through MDEC on the State's Attorney's Office for Frederick County.

/s/Rachel Reyes
Assistant Public Defender